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PTO/SB/21 (09-04)

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(to be used for all correspondence after initial filing)

| | |
|------------------------|----------------|
| Application Number | 10/529,805 |
| Filing Date | March 30, 2005 |
| First Named Inventor | Clark Turner |
| Art Unit | unknown |
| Examiner Name | unknown |
| Attorney Docket Number | 12417.10 |

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application | <input type="checkbox"/> Landscape Table on CD | |
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Remarks

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|-------------------|----------|--------|
| Firm Name | Kirtan & McConkie | | |
| Signature | | | |
| Printed name | Kenneth E. Horton | | |
| Date | June 16, 2006 | Reg. No. | 39,481 |

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| Signature | | | |
| Typed or printed name | Erin Cowles | Date | June 16, 2006 |

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Bill Cowles

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/529,805
Applicant : Clark Turner
Filed : March 30, 2005
TC/A.U. : unknown
Examiner : unknown

Confirmation No. 6528

Docket No. : 12417.10

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

To Whom It May Concern:

Listed on an attached Form PTO/SB/08A is information known to applicant(s). Applicants ask that the attached Form PTO/SB/08A be initialed and returned in accordance with MPEP §609. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

COMMONLY OWNED, RELATED U.S. PATENTS AND APPLICATIONS

Applicants note that citation numbers 10, 14 and 15 in the attached listing are U.S. patents or applications that are commonly owned with the above-identified patent application and may contain subject matter that is related to the subject matter of the above-identified patent application. The Examiner's attention is therefore directed to the prosecution history of the foregoing related U.S. patent(s) and patent application(s) and prior art cited in these patent(s) and patent application(s); Applicants assume the Examiner has access to all of the prosecution history, including the cited prior art, of these patents(s) and patent application(s), but Applicants will provide copies of all or any part of the prosecution history of or prior art from any of these patent(s) or patent application(s) upon request.

- ☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ It is being filed within 3 months of the application filing date (other than the filing date of a continued prosecution application under §1.53(d)); or
 - ☐ It is being filed within 3 months of entry of a national stage; or
 - ☒ It is being filed before the mail date of the first Office Action on the merits; or
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 - ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

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a statement as specified in §1.97(e) is provided below; **and**

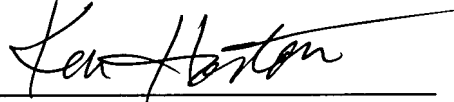
a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

Fee:

- ☒ No fee is due.
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- ☐ A credit card payment form providing \$_____ for the above-identified fee(s) is enclosed.
- ☐ This statement is filed as one part of a multi-part submission. The fee for the complete submission was included in an electronically filed submission on __. Applicants request the foregoing fee be accepted for this statement. (See OG Notice dated 17 September 2002.)

Respectfully submitted,

Date: June 16, 2006

By 
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Modified Form PTO/SB/08A

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| Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | | | <i>Complete If Known</i> | |
| | | | | Application Number | 10/556,237 |
| | | | | Filing Date | November 8, 2005 |
| | | | | First Named Inventor | Wei Wu |
| | | | | Group Art Unit | Unknown |
| Examiner Name | Unknown | | | | |
| Sheet | 1 | of | 1 | Attorney Docket No. | 13589.2 |

| U.S. PUBLISHED PATENT DOCUMENTS | | | | | | | |
|-----------------------------------|--------------------------|----------------------|------------------------|----------------------------------|---------------------|----------------------|------------------|
| Examiner Initials [*] | Cite No. ¹ | U.S. Patent Document | | Name of Patentee or Applicant | Publ./Issue Date | Related [#] | Copy Enclosed |
| | | Number | Kind Code ² | | | | |
| | 1. | 5,909,478 | | Polichar et al. | 6/1999 | | |
| | 2. | 5,514,873 | | Schulze-Ganzlin et al. | 5/7/1996 | | |
| | 3. | 5,166,965 | | Collier, John A. | 11/1992 | | |
| | 4. | 5,077,771 | | Skillicorn et al. | 12/31/1991 | | |
| | 5. | 4,979,198 | | Malcom et al. | 12/18/1990 | | |
| | 6. | 4,840,471 | | Mitani et al. | 6/20/1989 | | |
| | 7. | 4,646,338 | | Skillicorn et al. | 2/19987 | | |
| | 8. | 4,170,735 | | Codina et al. | 10/1979 | | |
| | 9. | 2,063,329 | | Morrison | 12/8/1936 | | |

| U.S. PUBLISHED PATENT APPLICATIONS | | | | | | |
|------------------------------------|--------------------------|-----------------|-------------------|-------------|----------------------|------------------|
| Examiner Initials* | Cite No. ¹ | Application No. | Name of Applicant | Filing Date | Related [#] | Copy Enclosed |
| | 10. | 10/529,806 | Turner, Clark | 8/1/2005 | | |

| U.S. UNPUBLISHED PATENT APPLICATIONS | | | | | | |
|--------------------------------------|--------------------------|-----------------|-------------------|-------------|----------------------|------------------|
| Examiner Initials* | Cite No. ¹ | Serial No. | Name of Applicant | Filing Date | Related [#] | Copy Enclosed |
| | 11. | US 2005/0018817 | Oettinger et al. | 1/27/2005 | | |
| | 12. | US 2004/0146142 | Maijala, Miikka | 7/29/2004 | | |
| | 13. | US 2004/0146142 | Maijala | 7/29/2004 | | |

| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|-----------------------|-------------------------|---------------------|------------------------|-------------------------------|------------|----------------|---------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Name of Patentee or Applicant | Publ. Date | T ⁶ | Copy Enclosed |
| | | Office ³ | Number ⁴ | Kind Code ⁵ | | | | |
| | 14. | WO | 2005/081956 | | Turner, Clark | 9/9/2005 | | No |
| | 15. | PCT | US2005/005454 | | Turner, Clark | 2/22/2005 | | |

| OTHER PRIOR ART – NONPATENT LITERATURE DOCUMENTS | | | | |
|--|-----------------------|--|----------------|---------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T ² | Copy Enclosed |
| | 16. | | | |

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* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

** Reference cited in parent application US Serial No. ___. 37 CFR § 1.98(d)

*** Pre-OG Notice By Deputy Commissioner Stephen G. Kunin dated July 11, 2003 waiving the requirement to file copies of US patent publications in applications filed after June 30, 2003.

& Notice dated October 19, 2004 by Deputy Commissioner for Patent Examination Policy waiving requirement to file copies of pending US patent applications if the applications are stored in the USPTO's IFW system.

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